

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re:

NICHOLAS G. A. DENTON,

Debtor.¹
-----X

:
: Chapter 11
:

: Case No. 16-12239 (SMB)
:
:
:

**ORDER DENYING DEBTOR'S MOTION FOR ORDER PURSUANT
TO SECTIONS 105(a) AND 363 OF THE BANKRUPTCY CODE AUTHORIZING
THE DEBTOR TO LEASE RESIDENTIAL REAL ESTATE**

Upon the motion (the "Motion")² of the debtor and debtor-in-possession in the above-captioned chapter 11 case for entry of an order pursuant to sections 105(a) and 363(b) of the Bankruptcy Code authorizing the Debtor to lease the Condominium under the material terms of the Proposed Lease or another lease under the same or substantially similar material terms; and the Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and due and sufficient notice of the Motion having been given under the particular circumstances; and an evidentiary hearing on the Motion having been held before the Court on August 24, 2016, at 10:00 a.m. (ET) (the "Hearing"); and the Court having considered the Motion and the objections to the Motion, as well as the arguments of counsel made, and the evidence adduced at the Hearing; and upon the record established at the Hearing and after due deliberation for the reasons stated by the Court in its bench ruling at the conclusion of the Hearing, it is hereby

ORDERED that:

¹ The last four digits of the Debtor's social security number are 1234.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

1. The Motion is DENIED, without prejudice.

2. Effective as of the entry of this Order, the Proposed Lease shall be deemed discharged, rejected, and otherwise ineffective. The tenant and guarantor under the Proposed Lease (a) are hereby released from any obligations arising from or related to the Proposed Lease and (b) hereby release and waive any and all claims against the Debtor and his estate arising from or related to the Proposed Lease, including, without limitation, any rejection damages claim.

3. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Order.

Dated: September 2nd, 2016
New York, New York

/s/ STUART M. BERNSTEIN
The Honorable Stuart M. Bernstein
United States Bankruptcy Judge